

Child Support Advisory Board
MINUTES
March 18, 2004

Present

1st District, Jane Preece, Esq.
2nd District, Paula Leftwich
3rd District, Betty Nordwind, Esq.
4th District, Jean F. Cohen
4th District, Maria Tortorelli
5th District, Reginald Brass
5th District, Susan Speir

Chief Information Office,
Jonathan Williams
Children and Family Services,
Barbara Abrams
Child Support Services Department,
Phillip Browning
Department of Public Social Services,
Silvia Valencia
CA Department of Child Support Services,
Nancy Stone (teleconference)
Superior Court, David Jetton

Guests

Steven Golightly, CSSD
Lori Cruz, CSSD
Julie Paik, CSSD
Gail Juiliano, CSSD
Carol Mentell, CSSD

Absent

1st District, George Gliaudys, Jr., Esq.
2nd District, John Murrell
3rd District, Lucy T. Eisenberg, Esq.

Franchise Tax Board, Debbie Strong

Julie Watson, Encino office
Patricia Erb, Interstate Unit
Lawrence Hill, SEIU Local 660
Caroline Gutierrez-Jackson, Public
Madelene Lyon, Public
Michael Weinberg, DCSS (teleconference)

Staff Support

Lee Millen, Board of Supervisors
Peter Papadakis, Board of Supervisors

CALL TO ORDER

In the absence of a quorum, *Vice Chairperson Speir* called a meeting of the Committee of the Whole to order at 9:38 a.m.; a quorum was confirmed at 10:00 a.m. and the Commission meeting was called to order.

REPORT ON PROCEDURES FOR INPUTTING NEW ORDERS RECEIVED BY THE COURT TRUSTEE INTO ARS

Member Jetton reported that as of March 4, 2004, the courts will begin sending any minute order involving the Court Trustee directly to CSSD headquarters for data

input; this should decrease the number of orders not in the CSSD system. Vice Chair Speir requested a follow-up report next month on this new procedure. Also, Member Tortorelli reported that wage assignments for ex-parte cases were being delayed due to staff's data input into ARS. Further, Judge Bobb has revised the six-month set aside order as of March 4, 2004, due to the delay of processing the notice of entry of judgment; the new revised order is six months from the date of the filing of the notice of entry.

Vice Chair Speir expressed concern that the NCP isn't made aware if the CP is on welfare following the reserved order. In response to Lori Cruz, Deputy Director, CSSD, Member Stone will report back regarding whether the statewide SDU will require that they receive all IVD and non-IVD orders.

DECIDE WHETHER THE CSAB SHOULD RESUME MEETING IN THE KENNETH HAHN HALL OF ADMINISTRATION

Member Browning reported that the change of the CSAB meeting location was primarily due to gain access to CSSD staff; however, some staff have not been as readily available. Also, another concern is the need to be present at the CAO's meeting with Department Heads on the same day that the CSAB holds its meetings.

Following discussion, Lee Millen reported that he will report back today whether teleconferencing is available at the Hall of Administration for Member Stone's participation. Following further discussion on the public's access to the downtown meeting location, this item was deferred.

This agenda item was reconsidered, and Vice Chair Speir requested a roll call vote on whether to move the CSAB meetings to the Kenneth Hahn Hall of Administration. Mr. Millen reported that teleconferencing is available presently in two meeting rooms, and that an inquiry will be made regarding the purchase of equipment.

Motion: Member Browning, seconded by Member Nordwind
Ayes: Members Browning, Cohen, Jetton, Leftwich, Preece,
Tortorelli and Nordwind
Noes: Member Abrams, Brass, and Vice Chair Speir

The CSAB will begin meeting at the Hall of Administration as of April 2004.

APPROVE MINUTES OF FEBRUARY 19, 2004

On motion of Member Browning, seconded by Member Leftwich and unanimously carried, the minutes of February 19, 2004 were approved with the following correction:

PUBLIC COMMENT

Ms. Caroline Gutierrez-Jackson, CP, expressed concern that she appeared before the CSAB about four months ago and a timely response to her case has not been provided. Although she is aware that the NCP lives in Texas and is attempting to deny paternity, the case worker has informed her repeatedly that he can not be found. Ms. Gutierrez-Jackson requested immediate assistance in her child support case.

Patricia Erb, Assistant Head, Interstate Unit, noted that the case was forwarded to Texas and the process was interrupted when the NCP denied paternity. Also, further delays occurred with the confidentiality of a paternity case, and when the CP's attorney included two different filing numbers on the paperwork.

Member Nordwind expressed concern that a case opened in October 1999 would require such a long time to resolve. Carol Mentell, Ombudsman, reported that the Texas agency was provided with a good address; however, after asserting that the CP was not locatable, and following the CSSD's insistence that he in fact was in Texas, the agency did report he had been served. In response to Member Nordwind, Member Browning agreed to review the interstate policy for paternity cases and temporary orders, and Lori Cruz agreed to prepare a written report for the CSAB, with a copy for Ms. Gutierrez-Jackson. The report will contain systemic issues regarding this case and steps taken to provide a resolution, including contacts with CP's and contacts with the Texas Attorney General.

Madelene Lyon, CP, expressed concern that although her case began three years ago, she just recently received child support for her three children. Each time she called the CSSD office she was told she should wait for a case resolution and was never informed that she could file a complaint. After filing a complaint, staff took action on her case; however, her credit had been ruined. She recommended additional staff training, and she suggested that a form letter explaining the delay in approval could be useful to CP's in clarifying to creditors their inability to pay.

Julie Watson, Encino office, reported that case notes reveal several attempts to contact the CP for further information, that staff was informed that the NCP is on disability, and that since May 2003, just over \$14 thousand has been collected on this case. Ms. Lyon noted that the NCP is a Project Director for the Los Angeles Unified School District at Birmingham High School, and disputed that she had reported the NCP being on disability. Also, Member Nordwind expressed dismay that although Call Center reports show a 98% accuracy rate on calls answered, a serious customer service problem does exist.

Steven Golightly, Chief Deputy, CSSD, apologized for the case delays, and noted that although in 500 thousand other cases child support is being collected, management is attempting to inculcate a culture change in case processing.

Vice Chair Speir thanked Ms. Gutierrez-Jackson and Ms. Lyon for their attendance and comments.

DIRECTOR'S REPORT:

Phillip Browning, Director, CSSD, reported the following:

- California does not have a state-wide automated system and is paying \$200 million in penalties; Los Angeles County has been billed \$9.8 million which will come out of the County general fund;
- A federal certification is being sought, and it is anticipated that a letter can be sent in 2005 to request certification approval that would mitigate some of the penalties;
- The CSSD has prepared a budget based on the assumption that similar funding as last year will be approved, less \$4 million in one-time only monies allocated last year; first estimates show that about 40 lay offs will be required and about 70 staff will be impacted;
- The Allocation Committee has looked at the state allocation of monies distributed among counties; Los Angeles County believes that there is a relationship between funding and performance, and that 1000 more staff could be hired if allocations were distributed equitably;
- San Diego CSSD has alerted staff that about 150 layoffs are anticipated next fiscal year;
- Due to staff's diligence, it appears that the federal data reliability competence level of 95% for federal incentives has been met; and
- A Committee has been formed to attempt to centralize intake processing.

Steven Golightly reported that centralization can provide a greater degree of quality control, accuracy, consistency of policy and procedures, and reduce staff involved in intake processing. The Committee will report back to him in April 2004 with concrete recommendations for implementation, and he will present the recommendations at the CSAB April meeting, including how it ties into the BPR activities. In response to Member Nordwind, Mr. Golightly noted that co-locate efficiencies are part of the whole BPR effort.

DCSS Report to include: Response to Member Browning's letter dated 02/06/04 regarding complaint resolution and state hearings

Member Stone advised that in response to Member Browning's letter dated 02/06/04, DCSS legal staff is pulling case specific examples to gain a better understanding of systemic issues, and that Chairperson Eisenberg can request a copy of their research from CSSD when the names and confidential data have been redacted. Mr. Golightly noted that CSSD staff is not waiting to receive the DCSS report before implementing corrective action regarding state hearings; a report will be given next month on a new procedure that holds head attorneys more accountable for the feedback/outcomes of D and O's.

Also, the Allocation Committee will forward a draft report to committee members prior to the next meeting scheduled on April 1, 2004. Member Cohen expressed concern that the Governor is recommending a permanent 25% penalty share of the federal assessed penalty, which had been included last year as a one-time only

charge. Member Stone noted that the decisions on assessed penalties are made out of the Governor's office.

CUSTOMER SERVICE COMMITTEE REPORT

Chairperson Nordwind, Customer Service Committee, reported that the Committee is continuing to meet quarterly. The Ombudsman Office is handling about 1200 matters each month, of which 900 are resolved; there are 300 cases in the complaint process and with current staffing, the backlog can not be finalized. The complaint Divisions (13 investigators) are resolving 43% of the cases within a 30 day timeframe as required by law, leaving about 60% of the cases unresolved. Unless there is some systemic intervention, the process is not going to change. Also, the State Hearing Division now has four paralegals assigned with two attorneys supervising, and it is apparent that a backlog of 800-1000 cases will always exist. Further, the Divisions are not actively helping the Ombudsman Office resolve the problem, and Division IV's resolution rate within the 30 day timeframe is the lowest among the other Divisions.

Mr. Golightly concurred that more complaint investigators are needed, and noted that the tendency by some staff to shift complaints to complaint investigators instead of attempting to further resolve these issues, which result in state hearings, is being addressed.

Member Nordwind reported that Gail Juiliano ran two time consuming reports which showed a high level of accuracy in Call Center responses, and a problem with accuracy with Call Center data at the Division level.

STATUS REPORT ON IMPLEMENTATION OF ACTION ITEMS FROM THE DPSS INTERFACE MEETING

Steven Golightly reported that the interface meeting with DPSS and CSSD was held on February 12, 2004 and a summary of action items and timelines are provided again today (copy on file). Staff is on track to meet the deadlines established in February 2004.

PROCEDURES FOR IMPLEMENTING I-COAP AND NUMBER OF APPLICATIONS RECEIVED TO DATE; PROCEDURE FOR COMPROMISE OF ARREARS IN FOSTER CHILD CASES

In response to Member Tortorelli, Michael Weinberg, DCSS, reported telephonically that he and staff visited CSSD headquarters on March 1, 2004. They reviewed the I-COAP letter with staff that was released in December 2003, provided a demonstration of Excel and the pertinent components that go into the compromise agreement and compromise amounts. This was followed up by a visit to each of the Divisions which generated much interest at the caseworker level. In response to Member Tortorelli, Member Stone will report back whether DCSS staff are to be housed at CSSD and work with staff on the compromise agreement program.

Mr. Weinberg reported that the revised calculator should be available sometime next week, and the revisions to the I-COAP process will not only include a change in the formula, but includes the ability to work multiple cases housed in Los Angeles County and work interstate cases. A total of six applications were received from Los Angeles County, five applications came directly from NCPs and one came from the LCSA. Also, it has become apparent that it will take longer to implement I-COAP than originally planned, and because it is a manual process the focus is on the welfare arrears operation only. Further, after COAP is implemented state-wide, DCSS will keep I-COAP in existence for local handling of multiple cases and interstate cases; however, arrears over \$5,000 will be handled by the DCSS.

I-COAP's design is being retooled and the Consortia will be consulted to reach consensus on the concept; implementation is anticipated in July 2004. The revised I-COAP is a more simplified process and a letter of explanation should be forwarded to agencies next week. Also, a "train the trainer" session will be held in Sacramento about three weeks before the DCSS implements I-COAP. In response to Vice Chair Speir, Member Stone advised that the requirement for a bank account can be deemphasized if the applicant states that no current account exists.

Tanya Crawford-Collage, DCSS, reported that Los Angeles County data received from 10/01/2003-12/31/2003, does not include 07/03-09/03 data; Ms. Cruz agreed to forward this information to DCSS. Ms. Crawford-Collage reported that 1,066 applications have been received, 386 applications were denied, 49 foster care applications were approved, and 8 Cal Works were approved, with the balance pending review.

In response to Member Tortorelli, Ms. Crawford-Collage noted that denials are decided at the local level and each agency notifies DCSS of action taken in a quarterly CSSD report. In response to Vice Chair Speir, Gail Juiliano agreed to provide the CSAB with the criteria for denial. Further, Vice Chair Speir suggested that CSSD could identify children in foster care and implement a more targeted outreach.

(Members Jetton, Tortorelli, Nordwind and Brass were excused from the meeting.)

REVIEW OF ISSUES CONCERNING AUDITS

Steven Golightly reported that 20 CSSD staff will meet to improve the audit process, its timelines, and the prioritization of its distribution. A report with a set of recommendations will be presented at the April 2004 CSAB meeting. In response to Vice Chair Speir, Mr. Golightly noted that the work group will also review billing statements and whether they are intelligible; Vice Chair Speir noted that inaccurate billing amounts arise and when mistakes occur, a CSSD form should be provided to advise credit bureaus.

REVIEW AND DISCUSS PERFORMANCE MEASURES FOR FEBRUARY AND MARCH 2004

This agenda item was deferred to next month.

ADJOURNMENT

The meeting adjourned at 12:00 noon.